

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN RE APPLICATION OF: Atsushi OTAKI, et al.

SERIAL NUMBER: 10/576,470

GROUP: 3725

FILED: January 26, 2007

EXAMINER: JENNINGS, S.M.

FOR: FORGING METHOD, FORGED ARTICLE AND FORGING APPARATUS

**COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE**

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SIR:

Applicants acknowledge with appreciation the indication of allowability of the claimed invention. In response to the Examiner's Statement of Reasons for Allowance in the Notice of Allowance of October 21, 2009, Applicants respectfully submit the following comments.

In the Examiner's Statement of Reasons for Allowance on page 3 of the Notice of Allowance, paragraph 5 states in part:

The following is an examiner's statement of reasons for allowance: the prior art neither anticipates nor renders obvious the combination of limitations found in the independent claims, specifically holding an axial intermediate portion of the raw material in dented portions and disposing of the axial end portions in with guides that are axial movable within the dented portions and holding the schedule diameter-enlarging portion to prevent buckling.

It is respectfully noted that independent Claims 1 and 12 do not include this language. For example, Claims 1 and 12 do not include a reference to "holding an axial intermediate portion of the raw material in dented portions" but rather the claims recite "the axial end portions of the raw material are disposed in respective forming dented portions". Also, Claim 12, being directed to a "forging apparatus", is not directed to a process as may be implied and/or inferred by the examiner's statement. This apparatus claim is patentable by virtue of

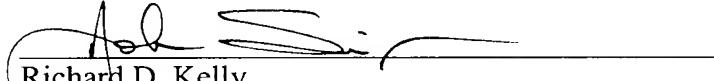
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the limitations and structure recited therein. Accordingly, it is respectfully submitted that the above-quoted statement does not apply to Claims 1 and 12 to the extent the language used in the statement differs from the language of the claims.

Respectfully Submitted,

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